

ASSEMBLY BILL

No. 293

Introduced by Assembly Member Wesson
(Principal coauthor: Assembly Member Washington)
(Coauthors: Senators Baca, O’Connell, and Solis)

February 8, 1999

An act to add Section 417.26 to the Penal Code, relating to lasers.

LEGISLATIVE COUNSEL’S DIGEST

AB 293, as introduced, Wesson. Laser pointers: minors.

Existing law provides that every person who, except in self-defense, knowingly draws or exhibits a laser scope, as defined, that projects a colored target on a person in a threatening manner against that person with specific intent to cause a reasonable person apprehension or fear of bodily harm is guilty of a misdemeanor, punishable by imprisonment in a county jail for up to 30 days.

This bill would make it a misdemeanor for any person, corporation, firm, or business entity of any kind to knowingly supply, deliver, sell, or give possession or control of a laser pointer, as defined, to a minor 18 years or younger. By creating a new crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 417.26 is added to the Penal
2 Code, to read:

3 417.26. (a) No person, corporation, firm, or business
4 entity of any kind shall knowingly supply, deliver, sell, or
5 give possession or control of a laser pointer to a minor 18
6 years or younger. A violation of this section shall be
7 punished as a misdemeanor.

8 (b) As used in this section, “laser pointer” means any
9 device that emits light amplified by the stimulated
10 emission of radiation that is visible to the human eye.

11 SEC. 2. No reimbursement is required by this act
12 pursuant to Section 6 of Article XIII B of the California
13 Constitution because the only costs that may be incurred
14 by a local agency or school district will be incurred
15 because this act creates a new crime or infraction,
16 eliminates a crime or infraction, or changes the penalty
17 for a crime or infraction, within the meaning of Section
18 17556 of the Government Code, or changes the definition
19 of a crime within the meaning of Section 6 of Article
20 XIII B of the California Constitution.

